REMARKS

Claims 1-31 are pending in this application. Claims 1, 12, 18, 22, and 26-28, the independent claims, have been amended to define still more clearly what Applicant regards as his invention, in terms which distinguish over the art of record.

Claims 1-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,801,781 (Hiroshima), and Claims 18 and 22, as being anticipated by U.S. Patent 5,801,781 (Nuber et al.). Claims 19-21 and 23-31 were rejected under 35 U.S.C. § 103(a) as being obvious from *Hiroshima* in view of *Nuber*.

Since it is believed that the general nature of the invention has been adequately discussed in previous papers, that discussion will not be repeated.

Among other important features recited in independent Claim 1, is that the information processing apparatus generates identification flag information for discriminating packet length information included in variable length packet data, which flag information is not included in the variable length packet data, and generates fixed length packet from the variable length packet data in length information (see Fig. 4).[1] By virtue of the structure set out in Claim 1, packet length of the variable length packet data can be easily detected using the identification flag information, and thereby packetizing processing for generating fixed length packet data can be attained with higher efficiency.

Hiroshima relates to conversion of a moving picture stream in MPEG1 format to a transport stream according to the MPEG2 standard, in which a TS (fixed length packet data) of MPEG 2 is generated from ES (variable length packet data) of MPEG 1 (10

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[1] It is to be understood, of course, that the claim scope is not limited by the details of the preferred embodiments.

of Fig. 1, and Fig. 4). In this connection, the *Hiroshima* apparatus uses packet length information and the like (112, 114 in Fig. 6) included in the ES of MPEG 1 to form a header of PES of MPEG 2 (column 8, lines 44-49). However, *Hiroshima* fails to teach generating identification flag information for discriminating the packet length information included in the ES of MPEG 1. For at least that rason, Claim 1 is believed to be clearly allowable over *Hiroshima*.

Among other important features of independent Claim 12 is that the information processing apparatus includes generating means for generating the identification flag information in the same manner as recited in independent Claim 1, and transmits the generated information flag information through a flag bus, while the variable length packet data is transmitted through a data bus. This feature also is not taught or suggested by *Hiroshima*.

Among other important features found in independent Claims 18 and 22 are that the information processing apparatus transmits fixed length packet data which includes clock reference (or program specific) information within a predetermined time interval and also transmits the fixed length packet data when there is not effective fixed length packet data to be generated from variable length packet data, within the predetermined time interval (see Fig. 8). This feature makes it possible to attain efficient data transmission with higher protection against errors.

Nuber relates to a system in which is used isochronous transmission of TS of MPEG 2 format. Specifically, *Nuber* discusses inserting PCR into an adaptation field of the TS to be transmitted (column 10, lines 3-10). However, nothing has been found, or

pointed out, in *Nuber* that would teach transmitting the TS when there is no effective TS data within a predetermined time interval during which the effective TS data is transmitted. For at least this reason, Claims 18 and 22 are each believed to be allowable over *Nuber*.

Each of the other independent claims is a method claim corresponding to one or another of the apparatus claims discussed above, and is considered allowable for the same reasons as are the respective corresponding apparatus claims.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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